

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

UNITED STATES *ex rel.*

ZOJO SOLUTIONS, INC., relator

v.

LEVITON MANUFACTURING CO., INC.
Defendant.

Judge Grady

Case No. 1:10-CV-00881

JOINT MOTION TO LIFT STAY

Relator ZOJO SOLUTIONS, INC. (hereinafter referred to as “ZOJO”) and Defendant LEVITON MANUFACTURING CO., (“LEVITON”), jointly move this Court to lift the stay entered on April 21, 2010.

On April 21, 2010, on agreement of the parties, the Court stayed this proceeding in light of two pending Federal Circuit appeals – *Pequinot v. Solo Cup*, and *Stauffer v. Brooks Brothers*. As both cases have now been decided, the stay is no longer appropriate.

After conferring, the parties have agreed:

- 1) The stay should be lifted, as the grounds for entering the stay have been fulfilled;
- 2) Relator will respond to “Defendants Motion to Dismiss Pursuant to Rule 9(b) and 12(b)(6) (DKT. No. 20) and to “Defendant’s Moton to Transfer Venue Under 28 U.S.C. § 1404(a)” (DKT. No. 10) by September 30, 2010. Defendant will file its reply memoranda in support of those motions by October 7, 2010; and
- 3) The parties will appear at the currently scheduled status hearing on October 6, 2010 ready to report on their status.

Therefore, the parties ask that the Court enter an Order lifting the stay, and entering the agreed upon briefing schedule.

Dated: September 8, 2010

Respectfully submitted,

/PAUL M. HLETKO/

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